

REMARKS

In the present Office Action mailed December 30, 2005, claims 1-47 were pending in the Application and claims 5-12, 19, 20, 23, 25, 26, 28 and 35-47 are withdrawn from consideration according to the previous restriction requirement. The remaining claims, numbers 1-4, 13-18, 21, 22, 24, 27 and 29-34 are rejected in the present Office Action. Of these rejected claims, numbers 13, 15, 27 and 29 are cancelled in the foregoing amendment. Therefore, the rejections under 35 U.S.C. § 112, first paragraph affecting those four claims, as well as the drawing objections thereto under 37 C.F.R. § 1.83(a) are moot and the Applicant respectfully requests withdrawal of those respective rejections and objections. The foregoing amendment also corrects informalities and typographical errors in the Specification and the Abstract without the addition of any new matter.

Regarding claim 4 rejected under 35 U.S.C. § 112, first paragraph, the foregoing amendment to claim 4 specifies the use of shims for adjusting the angle of reciprocation, as described in the detailed description on page 12, lines 4-6. Applicant respectfully requests the withdrawal of this rejection of claim 4 as overcome by amendment thereto as supported in the detailed description.

Regarding claims 1-3, rejected under 35 U.S.C. § 103(a), claim 1 is amended to incorporate the recitations of claims 2 and 3 therein. Claims 2 and 3 are therefore cancelled. As for claim 1 as amended, the combination of U.S. Patent Nos. 4,186,784 issued to *Stone* and No. 4,485,569 issued to *McCoubrey*, in further view of U.S. Patent No. 5,724,741 issued to *Bednar*, besides lacking any teaching to make this combination, is ineffective to render claim 1, as amended, unpatentable for the following seven reasons.

1. The *Stone* reference does not teach a mounting plate that is *coplanar* with the work surface as required in Applicant's claim 1 on Line 4. *Stone*'s mounting plate 72 is disposed *beneath* the work surface 20 of the work table 10. See Figure 3 of *Stone* and compare with Applicant's Figure 1 and Lines 16-18 of Page 7 of the detailed description.

2. The facts that *Stone* has the ability to hold a plurality of different tools, or that one of the mounting holes of the mounting plate can be defined as a pivot point, are now moot because these are features not present in Applicant's claim 1 as amended.

3. The *Stone* reference also does not teach the use of his work table for reciprocating saws other than the relatively lightweight saber-type saw because of the "lightweight construction" (See column 3, line 59) of the table 10. Further, there is no teaching in *Stone* or the other references how to modify *Stone* for use with a relatively heavy reciprocating saw.

4. The *McCoubrey* reference does not teach the ability to support a *reciprocating* saw under a work table, only a *chain* saw as described. These types of saws differ significantly in the kind of motion imparted to the cutting teeth, requiring different mounting structures.

5. *McCoubrey* also does not teach the ability to vary the angle of the saw teeth using a sliding mechanism. First, this is not a feature of Applicant's claim 4 as amended; and second, the so-called "sliding mechanism (27 and 27b)" of *McCoubrey* is inoperative to adjust the angle of the saw teeth because that mechanism is part of the throttle control (See column 2, lines 39-46 of *McCoubrey*). Moreover, the saw mounting bracket 15 with arms 15a and 15b, though provided to "limit the amount of arcuate movement" of the mounting bracket 15, it is not operative to adjust the angle of the saw teeth during a cutting operation. That angle is fixed by the relationship of slot 12 and pivot 23.

6. The *Bednar* reference does not teach the ability to adapt its pivoting shoe as a motor mount because the pivot of the shoe is offset from the axis of reciprocation of the saw blade and there is *no other structure* taught by *Bednar* to oppose the shaking back and forth of the saw motor due to the motion of the reciprocating blade.

7. As previously discussed, *McCoubrey* does not teach the ability to adjust the cutting angle of the saw teeth, nor does it disclose any mechanism operative to do so. Applicant's claim 4 as amended

(and supported in the detailed description at page 12, lines 4-6) teaches the use of shims to adjust the cutting angle of the saw teeth.

As noted above, the rejection of claims 13, 15, 27 and 29 are mooted by their cancellation and Applicant respectfully requests the withdrawal of the rejection under 35 U.S.C. § 103(a) of these four claims over the combination of references cited to *Stone*, *McCoubrey* and *Bednar*.

Regarding claims 14, 17, 22 and 30-34, rejected under 35 U.S.C. §103(a), this rejection was not discussed in the detailed action set forth in the present Office Action. However, Applicant respectfully points out that each of these claims depend from claim 1 as amended and therefore contain all of the same limitations of the base claim. As also discussed in the Remarks hereinabove, the cited references are ineffective alone or in combination as against claim 1. Therefore, Applicant respectfully requests the withdrawal of this rejection of claims 14, 17, 22 and 30-34.

Regarding claim 16, rejected under 35 U.S.C. § 103(a) over the same combination of references as claim 1, even with the addition of U.S. Patent No. 6,520,224 issued to *Smith*, is now believed to be patentable over the cited art as discussed herein above because claim 16 recites a further limitation to the base claim 1 as amended herein above. The cited combination of prior art references, believed and shown to be ineffective as to claim 1 must therefore also be ineffective against claim 16.

Regarding claim 18, rejected under 35 U.S.C. §103(a) under the same three references cited against the base claim 1, this claim also recites a further limitation to the base claim 1, now amended and believed to be patentable over the cited as discussed herein above. The cited combination of prior art references, believed and shown to be ineffective as to claim 1 must therefore also be ineffective against claim 18.

Regarding claims 21 and 24, rejected under 35 U.S.C. §103(a) recite further limitations to the base claim 1 now amended and believed to be patentable over the cited art as discussed herein above. The

cited combination of prior art references, believed and shown to be ineffective as to claim 1, must therefore also be ineffective against claims 21 and 24 respectively.

Applicant respectfully requests the withdrawal of these rejections as to claims 16, 18, 21 and 24.

Please charge any additional fees which may be due or credit any overpayment to Applicant's Deposit Account No. 50-2555 (Whitaker, Chalk, Swindle & Sawyer, LLP).

Respectfully submitted,



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